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AGENDA, RULES OF PROCEDURE, DATES, DURATION, VENUE OF AND PARTICIPATION AT THE WORLD CONFERENCE

PREPARATORY MEETINGS AND ACTIVITIES AT THE INTERNATIONAL, REGIONAL AND NATIONAL LEVELS

STUDIES AND OTHER DOCUMENTATION FOR THE WORLD CONFERENCE

Recommendations on the World Conference on Human Rights and its preparation submitted pursuant to paragraph 10 of General Assembly resolution 45/155

Report of the Secretary-General

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International Service for Human Rights

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WORLD CONGRESS ON HUMAN RIGHTS
10-15 DECEMBER 1990

FINAL ACT

Secretariat
World Congress on Human Rights
School of International Studies
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WORLD CONGRESS ON HUMAN RIGHTS
10-15 DECEMBER 1990
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I

CIVIL AND POLITICAL RIGHTS: PROTECTION OF PERSONAL INTEGRITY

(a) Measures to Combat Torture, Disappearances and Extra-judicial Executions

(i) All governments should ratify international instruments containing safeguards and remedies against torture, disappearances and extra-judicial executions, including the International Covenant on Civil and Political Rights and its First Optional Protocol and the United Nations Convention Against Torture; and should reflect in their domestic legislation and practice these safeguards and those provided in the United Nations Principles on the Effective Prevention and Investigation of Extra-legal Arbitrary and Summary Executions.

(ii) The draft Declaration on the Protection of All Persons from Enforced or Involuntary Disappearance now before the United Nations Commission on Human Rights should be examined and adopted as a matter of the highest priority.

(b) Detention without Fair Trial: Administrative or Preventive Detention

(i) The scope of administrative detention should be strictly limited and it should never be used to imprison prisoners of conscience, or to avoid providing a fair trial as soon as practicable to other political prisoners.

(ii) Whenever administrative detention is applied it should be subject to strict judicial control by a fully independent judiciary.

(iii) Prisoners held in administrative detention should be provided with all the safeguards required by the United Nations Body of Principles for the Protection of All Persons under any form of Detention or Imprisonment, including the obligation to inform individuals of their rights at the time of their detention, the right to be heard promptly after arrest, and to challenge the detention at any time before a judicial or other independent authority, and prompt access to their families and lawyers.

(c) National Security and Civil Liberty: Questions of Derogation, Permissible Limits on Accountability

(i) The concept of national security should be clearly, precisely and strictly defined. Different grounds for derogation, such as extreme social unrest, serious threats to political stability and acute economic emergency, should be clearly distinguished. [All grounds for derogation should be subject to the general criterion of a clear threat to the human rights of the population at large.]

(ii) Any state of emergency should be legally introduced and proclaimed, should be notified as required by international human rights treaties, and should be introduced only in response to an exceptional threat and only for such temporary period as that threat continues to exist. The exceptional powers provided under a state of emergency should be only those strictly proportional to the nature of the exceptional threat and should conform to the principle of non-discrimination.

(iii) The principles of internatinal law applying to states of emergency should be developed through further consideration by the Human Rights Committee of its general comment on Article 4 of the ICCPR, and the Committee should develop a mechanism for urgent consideration of each declared state of emergency, in order to ensure compliance with established criteria and procedures of international law governing derogations. Additional and alternative sources of information on states of emergency and their impact on human rights should be explored and a computerised information network should be established for that purpose. The role of NGOs should be enhanced in this sphere by adopting an additonal protocol to the ICCPR with suitable safeguards.

(d) Death Penalty

(i) This Congress welcomes the total abolition of the death penalty this year by seven countries [Namibia, Czechoslovakia, Ireland, Andorra, Sao Tome & Principe, Mozambique] and its abolition for ordinary crimes in another [Nepal], and urges all governments to abolish the death penalty in accordance with the right to life and respect for fundamental human rights, and to ratify the Second Optional Protocol to the ICCPR.

(ii) Pending abolition, all governments should respect the safeguards prescribed by international law limiting the application of the death penalty, including the exclusion from liability to death sentences of juvenile offenders and mentally ill or retarted people, and the requirement of a fair trial with right to appeal to a higher court and to seek clemency.

II

NGOs AND HUMAN RIGHTS

Appreciates the contribution of NGOs as the eyes and ears as well as the conscience of the world-wide community of human rights concerns,

Calls upon its member States, and all governmental inter-governmental organizations to assist and sustain the establishment and development of human rights NGOs without compromising their freedom to facilitate their functioning with dignity;

Calls upon all Human Rights NGOs to pool their resources, to coordinate their activities, to collaborate among themselves and to work incessantly for the progressive realization of human rights, responsibilities and obligations;

Recommends

1. Translation by or with the assistance of NGOs of UN documents on human rights into different national languages and their dissemination for human rights literacy, education and research with a view to make the people aware at large aware of all human rights, responsibilities and obligations;

2. Free and ready accessibility of NGOs all documents and reports of transactions relating to their country in the UN system;

3. An organized campaign by NGOs to request their governments to ratify all UN human rights instruments and for setting up effective mechanisms for guaranteeing compliance with them;

4. Special attention by the United Nations Information Centres and the United Nations regional offices in their

several locations all over the world to ensure easy availability of the campaigning materials and resolutions passed and other similar information related to human rights and published by the UN to all concerned and interested groups;

5. Use of students Associations/Unions of colleges and universities as an effective means of reaching the youth with a view to enlist their active participation in the world-wide human rights movement;

6. Training and other programmes and preparation of kits to acquaint NGOs and voluntary and professional workers and to device functionally useful formats;

7. Development and adaptation of flexible and simple as well as elaborate documentation systems in respect of human rights and their violations in the world for the use of NGOs;

8. Workshops, group discussions, exchange programmes, seminars and other human rights meetings, more particularly in the developing world, with a view to progressive geographical de-centralization of the Centre for Human Rights in Geneva and its activities;

9. Selection by NGOs of certain Human Rights instruments and UN Resolutions and campaigns by them for their implementation by Governments and the UN;

10. Technical facilitation and dissemination of human rights awareness, education and research by the Geneva-based International Service for Human Rights;

11. Emphasis by NGOs on the essential connection between development, especially of the disadvantaged people, and human rights, especially economic, social and cultural rights;

12. Strict compliance and pre-audit by all international aid and lending agencies in respect of the Mandate of human rights observance in all their activities;

13. Public education and public interest campaigns by NGOs whenever human rights are violated in the name of or under the cover of "development" which undermines and impairs human rights;

14. Support by non-governmental organizations for a United Nations Convention against Religious Intolerance;

15. Coordination by international human rights NGOs with national and local human rights NGOs based on the recognition of the local and national & NGOs as the grass-root foundation of the world-wide movement for human rights, responsibilities and obligations.

III

ECONOMIC, SOCIAL AND CULTURAL RIGHTS : PROTECTION OF HUMAN DIGNITY

Urges

(1) that criteria be laid down under the four broad categories of - conditions of life, condition of work; equality of access to resources, and participation, and that it was necessary to formulate indicators for the assessment of progress in the realisation of human rights, especially in the economic, social and cultural areas.

Considers

(2) that economic and social rights as core rights and their realization are necessary for the protection of human dignity. There were many examples of violation by TNCs in home and host countries of human rights such as marketing of banned drugs, exploitation of labour, massive loss of life and health by manufacture of hazardous substances;

(3) the accountability of TNCs and the enforcement of their duties and responsibilities by international organizations, governments and peoples, through the creation of codes of conduct by all the participants in TNC activities, which should specifically ensure that instead of violating human rights, TNCs and

home and host states facilitate the realisation of human rights by all.

Recommendations

A number of steps should be taken at all levels to set right the existing maladies in the area of development and realization of human rights. These include -

A. New definition of development which should consider such questions as: Development for whom, by whom, at what cost to the individual and the environment; and a global effort to formulate a new and more correct definition of development geared to the objectives of the Universal Declaration of Human Rights and other international declarations, covenants, charter and treaties as a priority task.

B. Concrete and Practical Measures to Implement and enforce the Right to Development and realization of human rights which would include:

(i) formulation of new strategy, goals and activities;

(ii) the promotion of and assistance to foster increasing participation of the people at the grass-roots level, and ensuring that the people are actively involved at all stages of initiation, goal setting, resource allocation on priority basis, implementation of programmes after their formulation, and the control assessment, monitoring and evaluation of development activities. (The African Charter for Popular Participation in Development and Transformation was held up as a model for devising practice measures in this regard.)

(iii) the elimination of undue influence and pressure by lending agencies and efforts to reduce, if not eliminate, the quantum and nature of foreign aid received by the developing countries.

(iv) the use of guidelines and criteria in the initiation, planning, budgeting and programme implementation of agricultural, industrial, scientific and other development so as to ensure that even a single step taken for development will, apart from not reducing the realisation of human rights, guarantee that the people will be enabled to achieve increasing freedom to exercise the fundamental human rights enunciated and elaborated in international instruments;

(v) that a code of conduct be formulated for the compliance by even developmental agency, whether national, multinational or international, in order to achieve the distribution and enjoyment of powers of decision-making and the benefits of development on the bases of equality and justice among all the peoples of the world;

(vi) that international machinery to evaluation and monitor the process of development concomitant with the realisation of human rights be strengthened, through wider acceptance and compliance with all international declarations, covenants and treaties adopted and to be adopted in the future;

(vii) that a greater role be given to NGOs to disseminate information and create awareness among the people and encourage increased involvement of the people in all developmental activities, as outlined above.

(viii) that democratically established criteria be laid down for assessing the fruits of development and to measure them in terms of the realisation of human rights and to devise a mechanism by which lending agencies and recipient governments will enter into only such financial arrangements that bring about the effective enjoyment of human rights by all. The same principle should apply for technical assistance and cooperation.

The following resolution was adopted:

The World Congress:

Aware of the declining living standards and increasing deprivation of the basic needs and human rights of the people of the world as a result of the failure of the ongoing development strategies and faulty implementation of programmes;

Recognizing the need for new thinking and innovative action for realizing all human rights through the effective enforcement of the right to development;

Conscious of the impending crisis of confidence of the people in the international activities, economy, powers, structures, programmes and mechanisms and the manifested inability of the international community to ensure the full realisation of human rights by all people;

Calls upon international agencies, national governments and multinational organizations to take urgent action to -

(a) formulate in practice and concept new development objectives, strategies and policies to remedy past abuses and to gear all development activities for the promotion and protection of the human rights of all;

(b) draw up new and effective conventions, codes of conduct and other necessary instruments for strengthening the right to development and the protection of human d gnity through effective realisation by all of the economic, social and cultural rights and to devise machinery for wider and effective enforcement of such instruments and secure compliance by all concerned; and

(c) urge on the peoples and non-governmental organizations all over the world to educate and encourage the people to participate in all development programmes which ensure benefits and realization of human rights to the people.

2. Requests the next World Congress on Human Rights to follow up the implementation of this resolution.

IV

NATURAL RESOURCE CONFLICTS AND THE RIGHT TO SAFE ENVIRONMENTS

Proclaims the inalienable right of humankind and its posterity to a safe, clean and healthy environment and acclaims and reiterates the indivisibility of human rights, peace and progress;

Considers that the illegal dumping of nuclear, toxic and hazardous materials, products, and wastes, the indiscriminate exploration and exploitation of resources, transfer of destructive technologies, testing of nuclear weapons on or under land and water or in space, nuclear explosions, oil exploration and detrimental exploitation of the common heritage of the mankind such as the Antartica, and the operation of hazardous instllations, cause or create the risk of death, serious bodily injury, cultural harm, and destruction and devastation of the environment and the life-support systems on which humankind depends for survival;

Considers it to be imperative to develop and elaborate international norms and standards, to provide for accessible and effective monitoring information exchange, monitoring of compliances and investigation of violations, and for obtaining redress in all matters relating to a safe, clean and healthy environment;

Emphasises the pressing need to strengthen and enlarge international advisory services, training programmes and collaborative consultations, free of cost or at a minimal cost, and the need for the widest dissemination of environmental information and for programmes and projects of environmental and energy literacy, education and research;

Recognizes that the problem of environmental destruction and growing ecological imbalance are directly caused by the prevalent dominant development ideology using technologies and processes of mass production, centralized distribution mechanism and promotion of consumerism;

Reiterates the fundamental right ofhumankind to freedom, equality, decent and adequate conditions of life in an environment of quality that permits a life of dignity and well-being, and the equally fundamental responsibility of Governments, peoples, groups and invididuals tp protect and improve the environment for the present and future generations;

Declares the obligation of all states, governmental authorities, national and transnational corporations, groups and individuals, to strive for and assist in the preservation of the balance of nature and all living species in the ecosystem, the progressive realization of environmental protection, conservation of common resources and the prevention, regulation and prohibition of all hazards to ecology and life in the context of sustainable development;

Further declares that it is a crime against humanity and calls upon states to expand the categories of international crime, to illegally dump nuclear, toxic and hazardous materials, products and wastes, to establish and operate hazardous installations without regard for the lives, safety and health, livelihood and cultural values of people, and to destroy, devastate and exhaust resources and life support systems which are essential to the survival of human-kind;

Calls upon all States to make comprehensive constitutional, statutory and administrative provisions

and take appropriate steps to safeguard and secure a safe, clear and healthy environment;

Further calls upon all States to accede to, ratify, implement and enforce by appropriate criminal and other penalties, all relevant international conventions, and to develop, conclude and bring into effect new international instruments that have the object of protecting the environment and the Human Right to a healthy, clean and safe environment;

Further Calls upon the United Nations System and all national and international aid and lending agencies to establish and enforce appropriate safeguards, incentives, and financial mechanisms, including "hold-backs" and trust funds, to ensure that recipients of aid adhere to the human rights proclaimed in international treaties, conventions, inter-governmental and non-governmental declarations and resolutions;

Recommends in particular

(i) the inclusion in national constitution or legislation a Charter of Rights, an Environmental Bill of Rights or a system of fundamental guarantees to a safe, sustainable, clean and healthy environment, including a reasonable right to know and access to information relating to all major projects, policies and processes, both now in operation and those that are being planned or proposed;

(ii) provisions for the assessment of and acceptance by individuals, communities and societies, the physical, economic and socio-cultural impacts and risks prior to the approval of major projects or development policies, for compensation, reporting, data-gathering, analysis, standard-setting,

investigation, monitoring, enforcement, adjudication, and other related matters, as well as provisions for rights of empowerment, people's pariticipation, and opportunities for hearing in crucial decision-making, to the extent possible.

(iii) the substitution of innovative and environment-friendly models, technologies and life-styles for existing developmental models, technologies and life styles;

(iv) freely accessible technology transfer for environment - friendly products, processes and know-how;

(v) the prohibition of the illegitimate dumping of nuclear, toxic, hazardous and other similar products, chemicals, wastes and materials;

(vi) the prohibition of nuclear weapon testing;

(vii) the rational use of natural resources including land and water for integrated development;

(viii) scientific development leading to global self-sufficiency within the limits of available natural resources and removing poverty, disease, illiteracy and unemployment;

(ix) the adoption of the principle of strict liability in respect of environmental lapses;

(x) conservation of land and water resources by eliminating wasteful consumption, and by afforestation and tree plantation;

(xi) a Charter of Rights for workers in hazardous industries which would include: (a) right to know the hazardous or toxic nature of substances and the dangers they pose when handling or when being exposed at the workplace; (b) protection of those who alert authorities to unsafe working conditions;

(c) freedom of choice, freedom from economic coercion, Right to refuse unsafe work; (d) Right to qualified and safe co-workers; and (e) right to accurate accident reporting, and health reporting systems;

(xii) a Charter of Rights for future generations which would Recognize the Right of Future Generations to a safe, clean and healthy environment; (b) impose a duty of stewardship on each generation to conserve and use the environment and natural resources for the benefit of the present and succedding generations and to prevent irreversible and irreparable harm to life on our planet earth; (c) make each generation accountable to the next generation in its use of the natural environment; (d) to secure environmental accountability through representation of future generations in decision-making by non-governmental organizations acting as trustees, sustainable development of renewable resources and monitoring of the quality of environment, inter-generational trust funds financed by global users' fees or tolls, such as fees on land disposal of hazardous waste, "severance tax" on extraction of non-renewable resources, fee for using the global commons, e.g., "carbon tax" on motor vehicles and on products or services that contaminate the earth's air, atmosphere, space, land and waterways;

(xiii) International Action to promote (a) the development of the concept of multinational enterprise, criminal and civil liability including liability of corporate directors and high officers; (b) accountability of national and multinational enterprises directly as

subjects of international law; (c) a comprehensive system of regulation including prohibition at national and international levels, governing all aspects of chemical and nuclear hazards, such as the export, import, manufacture, use, transport, storage and waste disposal; comprehensive ongoing research especially on toxic effects and treatment of effluents and other pollutants, plant design, safety measures and operating procedures, workers' rights, plant siting, and pollution; (d) the development of international systems for environmental economic, socio-cultural impacts and hazard assessment; (e) the improvement of international information systems regarding toxic effects of chemicals by strengthening and extending the mandate of the International Register of Potentially Toxic Chemicals; (f) Creation of an International Disaster Relief System; (g) Development of a more effective international justice system for victims, for example special rules under international law on jurisdiction, forum, standing, discovery, representation, due process, interim orders, recognition and enforcement of foreign judgements, and new international dispute processing system for victims including legal proceedings by individuals and groups concerned as well as by States; and (h) the expansion of human rights in the International Covenant on Economic, Social and Cultural Rights to include specifically the Right to a safe, clean and healthy environment using the complaints procedure of the Sub-Commission on Human Rights and the special application procedure to the Human Rights Commission and Committee.

V

EFFECTIVE REALIZATION OF THE RIGHTS OF WOMEN

Urges governments to ratify the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) and to establish Commissions to monitor compliance with CEDAW;

Further urges governments of countries which have entered reservations to CEDAW to withdraw those reservations and to change their laws to the extent necessary;

Calls upon governments and the media to disseminate freely information dealing with human rights especially those of women and to take action at every level of society with a view to changing attitudes which may result in discrimination against women and girls;

Condemns all forms of gender discrimination; including discrimination in respect of the right to be born;

Suggests legislative and other measures to ensure that no person who tends or medically examines any pregnant woman shall reveal any information, either to the woman herself or to any other person, which might indicate the sex of the unborn child;

Considers it imperative to eliminate gender discrimination in respect of education, and calls for steps to ensure that education should be universal,

free and compulsory for both female and male children at least up to the age of 16.

Recommends that national laws be examined and revised in order to remove discrimination in the areas of: (a) Marriage; (b) Inheritance; (c) Matrimonial property; (d) Matrimonial relations; (e) Adoption and Guardianship;

Further Recommends the establishment of Family Courts based on the following principles: (a) Simplified laws and procedures; (b) Privacy of hearings; (c) The policy of appointing family courts judges in equal gender proportions; (d) Providing counselling and mediation services as part of the Court Process.

Calls upon all governments to take immediate steps to ensure that all discriminatory laws, regulations and regulatory procedures which: (a) Restrict the movement of women within a country; and which (b) Restrict the right of women to travel outside their country; should be revealed.

Suggests that an attempt should be made so that future World Congresses may have 50% women, as participants and keynote speakers.

Requests that this resolutions be circulated to all appropriate bodies, including:

- United Nations Office of Status of Women, Vienna.
- United Nations Committee on Status of Women (CEDAW).
- Government and the Media.

VI

ETHNIC, SOCIAL AND RELIGIOUS CONFLICTS

Declares that protection of minorities and prevention of discrimination is an essential pre-requisite for assuming the dignity of individual, identity of the group and the solidarity of nations and peoples of tne world;

Views with profound concern, the manipulation, marginalisation and mistreatment of minorities and the denial of their legitimate human rights;

Condemns tensions, conflicts and violence arising from ethnic, social and religious conflicts and the concomittant rise of authoritarianism, chauvinism, exclusivism, populism and majority and minority divisions, psychosis and strife;

Calls on the United Nations and its agencies, governments, inter-governmental and non-governmental organizations to take all possible measures to ensure the protection of minorities and their rights and the peaceful and amicable resolution of all conflicts;

The need to resolve conflicts peacefully clearly needs much more effort including the early analysis of the marginalisation of groups many more reasons and it is important for communities to recognise their responsibilities to other communities, and in this

process models of good practice are important to examine. However, it is important to consider the limitations of the State and its structural weakness in finding tap down solutions.

Consequently, it is clear that non-governmental as well as governments and the United Nations have a crucial role to play in promoting research, disseminating information, providing objective reviews and in bringing communities together. There is also the need for new structural and institutional approaches to share power, while both the negative and positive roles that the Media and educational programmes play must be remembered.

It was on the basis of this discussion and analysis and the five papers presented that the following recommendations are made to the United Nations, Governments and Non-Governmental Organizations.

RECOMMENDS IN PARTICULAR:

(i) Adoption of a Declaration and a Convention by the United Nations on the rights of persons belonging to national, ethnic, religious or linguistic minorities;

(ii) Speedy compliance by Member states with requests by the "UN Human Rights Sub-Commission on the Protection of Minorities and the prevention of discrimination for information on minorities;

Recognition of the need to consult minority viewpoints in this study:

(iii) Strengtnening of existing remedies and establishment of new remedies and fora

within the UN system, wherever necessary and appropriate, to bring together member states and minorities to find constructive responses to minority issues. In this connection the role of the General Assembly as an avenue for the consideration of these issues should be greatly enhanced, for example, by permanent reference to the Third or Fourth Committees.

(iv) Consideration of the situation of minorities as an item on the agenda of the UN Conference for reviewing the work of the UN in the field of human rights and the active association and involvement of NGOs in the preparation for the UN Conference;

(v) Independent research and analysis of the root causes of conflicts by researchers and non-governmental organisations.

(vi) Open, impartial and constructive and collaborative analysis and evaluation of evidence brought to the attention of governments, researchers and evaluation and nongovernmental organisations.

(vii) Allocation of adequate resources to redress injustices in the situation of minority communities and to promote inter-faith understanding and inter-community harmony.

(viii) Development of local, intra-national and regional fora established under municipal and international regional conventions to monitor human rights of minorities with jurisdiction in relation to individual and group petitions.

(ix) Establishment and strengthening of NGOs finding durable and constructive solution in the field of protection of minorities, for promoting communication understanding, cooperation, understanding, goodwill and harmony, identifying exemplary models, exploring ways and means of mutual accommodation, peaceful resolution of conflicts and sharing and caring with human warmth in a spirit of fraternity;

(x) Development and promotion of programmes involving research and publication of reports and studies to create an enlightened climate of mutual tolerance, assistance and support among all communities.

(xi) Devolution of power and inculcation of civic culture conducive to the protection of minorities and their Legitimate rights.

VII

RIGHTS OF REFUGEES AND STATELESS PERSONS

Reaffirms the safeguards for the rights of refugees and stateless persons embodied in international resolutions, declarations, conventions, protocols and other instruments and in national laws, state practice, and public international law;

Expresses its concern in respect of the precarious situation under which internally displaced persons are forced to live in many parts of the world;

Notes that such internally displaced persons fall outside the mandate of the Office of UNHCR and are not assisted by UNHCR;

Calls upon the United Nations to extend the mandate of UNHCR or to create another organization and programme to assist such internally displaced persons on a worldwise basis and to mobilise and coordinate voluntary assistance to them;

Recommends

(i) an integrated approach to the refugee problem including the problem of causes of new flows of refugees to a long-term endeavour;

(ii) North-South economic relations and steps for structuring a new international humanitarian order;

(iii) establishment of an "early warning system" and coordination of such systems within the UN;

(iv) measures for prevention of involuntary displacement of groups and individuals in conformity with accepted international norms, standards and principles;

(v) worldwide system of information-sharing on the problems of refugees and stateless persons;

(vi) specific guidelines on repatriation of refugees, ensuring its voluntary character and based on due deference to the rights declared in human rights instruments;

(vii) a progressively more humane approach to asylum seekers and their human rights, and the avoidance of forcible deportation if such deportation is likely to lead to unfair treatment;

(viii) international measures to take cognizance of occurrences leading to exodus and involuntary displacement of people and to statelessness, to provide for full recompense to victims, and to minimise situations of statelessness;

(ix) renewed worldwide effort to create a universal framework for the protection of the human rights of stateless persons and to secure accession of all states to the 1954 Convention relating to the status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;

(x) priority attention to the problem of forced migration on the international agenda;

(xi) substantial augmentation of funds and other material and human resources to assist the refugees and stateless persons, to study and resolve their problems and to protect and promote their legitimate human rights.

VIII

PROTECTION OF THE RIGHTS OF VULNERABLE SECTIONS OF THE SOCIETY

Recommends:

(a) Rights of the Child

The World Congress on Human Rights calls upon all states -

(a) to ratify the Convention on the Rights of the child and all related international instruments, and fully and immediately implement them;

(b) to abolish child labour in all its forms in a phased manner and pending the attainment of this objective, to take immediate steps to improve their working conditions;

(c) to prohibit by law and enforce such law, the employment of children in work which endangers their health, safety and morals.

(b) Child Slavery

Participants condemned child slavery in all its forms whever it is practised. The Resolution called for the solicitation of immediate intervention of concerned international organizations to put an end to the practice. They also recorded their strong objection to the practice of sale of human beings and called upon States to take affirmative steps to punish both the sellers and buyers engaged in the trade.

(c) Children Kept in Jails

Participants noted with distress and alarm that increasing number of children are incarcerated in inhuman and cruel prison environments in violation of

international human rights covenants and constitutional guarantees. They adopted a Resolution which called upon all States which have incarcerated children in jail, especially those detained for trial, to release them forthwith and to provide appropriate rehabitation and adequate compensation to those children or their families.

B. Rights of Disabled Persons

Participants were greatly distressed at the plight of disabled persons everywhere in the world. Disabled persons are denied their rightful claims in society, neglected and socially and economically marginalized. Despite international concern, they do not have effective mechanisms to protect their rights.

Participants noted that many types of disability are preventable, through early diagnosis, health care and timely immunization.

The following resolutions were unanimously adopted:

1. That a mechanism for the protection of the rights of disabled persons should be established;
2. That universal access to preventi e actions and disability prevention should be incorporated as an integral and high priority component in national socio-economic policies and development service plans;
3. That efforts should be made for the creation of general awareness at the grassroots level about the prevention of disability as well as the rights of disabled persons.
4. That Home-based care and rehabilitation should be encouraged to the disabled, but where this is not

possible they should be provided with institutional care and rehabilitation services.

5. Initiation of any large projects if its finds large scale displacement against the will of the people and without their active participation in the initial as well as implementation stages of those projects.

6. The Special Commission should give regional representation to countries where the problem of internal displacement occurs and to NGOs working in the effected areas.

C. Displacement as a result of Development Projects

Participants further noted that development projects often result in the displacement of many communities, especially tribes, who depend on land for survival and who have no other skills to earn livelihood. The following resolution was adopted:

"Persons displaced as a result of development projects should be given access to skill education to enable them to obtain non-land based occupation but these measures should not be a substitute for land compensation."

D. Bonded Labour and Migrant Workers

(i) Bonded Labour

Participants condemned the perpetuation of bonded labour despite extensive national legislation and international measures seeking its elimination. By acclamation they resolved as follows:

"The World Congress urges that efforts should be intensified to totally eliminate the extreme form of social injustice and inhuman problem created by bonded labour, by generating awareness and mobilizing public opinion against it."

(ii) Migrant Workers

Participants were concerned that despite the fact that problems relating to migrant workers and their families have been well-identified, little has been done to eliminate those problems and to eliminate discrimination against migrant workers and their families. The following resolution was adopted by acclamation:

"The World Congress urges that efforts should be intensified to determine suitable action programmes and to speedily implement them at national and international levels."

E. Disadvantages Sections of Society

Participants noted that there are sections of society throughout the world who have been disadvantaged due to discrimination on the basis of race, religion, ethnicity, gender, social and economic status and disability, and that as a result of such discrimination, these disadvantaged sections of society have been aunable to attain equality with the result of society. The following resolution was unanimously adopted:

The World Congress urges that NGOs, IGOs and Governments should:

(a) urgently undertake detailed studies to identify the disadvantaged sections in their respective societies and their particular needs; and

(b) examine existing programmes taking into consideration the needs of the disadvantaged section of society, and monitor those programmes;

and that governments should adopt affirmative action programmes particularly in respect of education, training and employment, and where such programmes already exist, they should improve them in response to the needs identified.

F. Rights of Persons Displaced in their own Country

Two resolutions were adopted by participants on this topic :

(1) Displacement of Tribal People within their own country; and
(2) Displacement of communities, especially tribes, as a result of developmental projects.

Displacement of Tribal People

Participants noted with great concern that -

(a) there has been and continues to be a violation of human rights, involving effective denial of right to life, shelter and ancestral common land and environment, as a result of developmental projects, and this problem is aggravated by international developmental agencies;

(b) insurgency, communal riots, natural disasters such as drought, famine and floods, as well as governmenttal development projects, results in internal displacement of vulnerable sections of society and these displaced persons often suffer atrocities at the hands of authorities;

(c) the rehabilitation of one group of people which is displaced often results in displacement of

another group of people, which creates rift between vulnerable sections of society.

Participants therefore adopted the following Resolution:

The World Congress

a) urges the United Nation, national governments and the NGOs, to work out a programme to establish a Special Commission on Displaced People on the same level as that of the UN High Commission on Refugees to provide displaced persons with all kinds of facilities provided for refugees;

b) The Special Commission should be empowered to conduct inquiries in matters of excesses, atrocities, cheating and corrupt practices engaged in at the time of resettling the displaced population.

c) The Special Commission should take steps to top or to prevent the

IX

HUMAN RIGHTS INFORMATION, TEACHING AND RESEARCH

Recommends

(A) i) Human right education should encompass formal, non-formal and informal education and should reach parents and policymakers as well;

ii) The content of formal curricula should be decided not only as a technical or procedural matter but also as a political matter;

iii) The curriculum should not only be informative and intellectual but also action-oriented; it should be both a separate object and integrated into the curriculum; and should be included in teacher training programme

iv) Human rights teaching materials should be developed, emphasizing human dignity and illustrating real and concrete situations; they should be produced in all UN languages as well as in others, in both written and audio-visual forms.

The World Congress recommends that

(B) the UN Centre on Human Rights should :

- start series of practical workshops in 1991, bringing together all those directly involved in producing human rights teaching materials for schools in different regions of the world: i.e. inter-governmental, teaching and NGO organizations;
- the workshops should aim at further developing human rights teaching materials; the Manuals

for Teaching, published by the UN Human Rights Centre and other organization could form the basis for further developing local teaching materials

(C) NGO Information Net working

The participants noted that most NGOs are small and have limited resources for information handling. They adopted following resolution:

The World Congress urges that the efforts of NGOs to disseminate human rights information of the right quality to the right people at the right time should be aided. This can best be done in a decentralized network in which NGOs can

- collaborate with other organizations
- work out with human rights Documentation Centres and organization a division of labour on a bilateral or multilateral basis, in which each participant focuses on its area of competence and exchanges its information material with other participants
- produce information materials, developing and using common vocabulary, on the basis of agreed upon standards so that they can be confident with their quality.

(D) Cooperation between IGOs and NGOs

The following resolution was adopted by the participants.

The World Congress urges that

(1) Governments and Inter-governmental organizations should provide NGOs with resources for training

of documentation workers in tools and techniques for human rights information handling. This training should be promoted in particular at local levels in consultation with NGO networks;

(2) that collaboration between IGOs and NGOs on human rights information should be strengthened through

- wide and easy public access to all IGO publication
- publicity at the earliest stage possible by IGOs of their plans and projects to establish computarized data bases and then plans and projects to improve dissemination of information and documentation;
- collaboration in the development and exchange of information handling tools and an agreed terminology for such information exchange;

(3) that efforts of IGOs to assist the establishment or the strengthening of national centres for human rights information and documentation should be strengthened. NGOs should be involved in those programmes.

(E) Research

The quality of human rights research depends greatly on the establishment and strengthening of research centres in academic as well as independent institutions. Academic freedom and technical support are essential to carry out such research.

The following recommendations were made:

The World Congress urges that

(1) innovative teaching and research at university levels should be promoted;

(2) university teaching programmes should be expanded by widening the publication and dissimination of human rights research;

(3) collaboration between researchers in the First World whom most academic gatherings tend to take place, and those in the Third World, should be strengthened in order to achieve cross-fertilization and mutual enhancement;

(4) Communication among human rights researchers at global level should be improved, using in particular modern and/or alternative means of communication;

(5) funding for long-term research and for the dissemination of products of such research should be actively sought as long-term research contributes substantially to the struggle for human rights.

X

MECHANISM FOR IMPLEMENTATION OF HUMAN RIGHTS

Affirms and Reiterates the vital importance of ensuring the progressive implementation of human rights, responsibilities and obligations throughout the world and the crucial role which institutions and mechanisms of redress and accountability play in the fuller realization of human rights;

Calls upon all Governments - particularly those which have not already done so, to ratify all Human Rights instruments, in particular: (a) International Covenant on Economic, Social and Cultural Rights, (b) International Covenant on Civil and Political Rights and (c) the Optional Protocol thereto.

Calls upon all governments to take immediate steps, including new legislation, to bring their national constitutions and legislation in conformity with international human rights norms;

Calls upon all Governments, which have not met their financial obligations under human rights instruments to ensure the efficient operation of the respective implementation mechanisms, to do so urgently;

Urges State Parties to international human rights instruments to meticulously observe the criteria relating to the candidates nominated and elected on treaty-based and other human rights bodies as stipulated in the international instruments thereby ensuring their independence;

Calls upon: (a) the governments of Asia and the Pacific region to follow up earlier initiatives undertaken to examine the feasibility of establishing effective regional mechanisms for the protection and promotion of human rights in Asia and the Pacific region; (b) the United Nations Secretary-General to facilitate the holding of seminars towards this purpose; and (c) Non-Governmental Organizations in the Asia-Pacific region to contribute and participate in this endeavour fully;

Calls upon the State parties to observe the norms principles and standards formulated for the purpose of elaborating and effectuating human rights including those which relate to the remedial framework of implementation and enforcement and the independence of the judiciary, the legal profession and the jurors and assessors;

Calls for the good offices role of the UN Secretary-General in cases of gross violations or threats of gross violations, of human rights;

Calls upon the United Nations to give serious consideration to the setting up of a Human Rights Council at the same level as the other principal organs of the United Nations with the participation including NGOs, UN specialized agencies to undertake a global watch on human rights;

Calls upon the UN to recognize the need for an effective spearhead for urgent action on human rights within the UN system and to accord renewed and serious consideration to the proposal for the establishment of UN High Commissioner for Human Rights.

Requests the United Nations Centre for Human Rights, Geneva should ensure the widest possible dissemination of texts of human rights instruments in the relevant languages;

Urges: (a) the further strengthening of its Programme of Advisory Services and Technical Assistance for Human Rights; (b) regular evaluation by the recepients of the advisory services and technical assistance programs as to their effectiveness in the protection of human rights and freedoms; (c) setting up of training programmes for NGOs on implementation mechanisms as contained in the international human rights instruments; (d) active collaboration between the UN Centre for Human Rights and UNESCO in holding regular human rights seminars for judges, lawyers, law enforcement agencies, armed force academics, parliamentarians, NGOs and other relevant groups; and (e) active support of UNESCO for human rights education programme for NGOs and other regional and local groups;

Proposes that the NGOs should give consideration to: (a) the establishment of one or more regional association of human rights workers which would take action on behalf of the human rights defenders who are persecuted or are under the threat of persecution; (b) to set up a Human Rights Defenders' Fund to provide for legal defence and redress and other forms of assistance to the persecuted defenders and their families; and (c) to disseminate information to human rights NGOs and other human rights workers of the existing and proposed mechanisms for support of defenders in distress.

Welcomes the decision of the UN General Assembly to convene a World Conference on Human Rights in 1993, with a view to evaluating the progress made in the enjoyment of human rights and fundamental freedoms since the Teheran Conference of 1968 and to propose a programme of action for further strengthening and developing of the human rights programme for the next decade;

Recommends to the International Steering Committee: (a) to undertake the preparatory work for organizing an NGO forum in the context of the proposed 1993 UN World Conference on Human Rights; and to set up (b) Regional preparatory working groups towards that end; (c) to secure full access to national and international NGOs for the purposes of the UN World Conference proposed to be held in 1993;

Further Recommends that the edited and final text of the Final Act of this Congress should be widely disseminated and for this purpose requests the UN Centre for Human Rights to take all necessary measures for dissemination of the recommendations of the Congress to all UN bodies, governments and international NGOs.